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ABSTRACT

Information on institutions engaged in academic collective bargaining with recognized bargaining units in 1985 is presented, with attention to agents elected, no-agent elections, decertifications, strikes, and legislation. Information is provided for the American Federation for Teachers, the National Education Association, the American Association of University Professors, and independent faculty unions. For the third consecutive year, the number of unionized colleges increased with a reported 446 recognized bargaining agents and 411 collective bargaining agreements, representing an estimated growth of 4% in both the number of agents and the number of contracts. A total of 195,570 full- and part-time faculty members are represented by certified bargaining agents, an increase of 2% from 1984. The number of recognized agents at public institutions increased from 355 to 369, while the number at private institutions went from 74 to 77. The growth in unionization of college faculty in Ohio and Illinois appears to be proceeding at a slower rate than originally anticipated. For 13 colleges that elected agents and three colleges that changed agents, information is provided on: unit size, the vote, the agent elected (or new and former agents), and whether the college is two- or four-year. (SW)

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UNIONIZATION AMONG COLLEGE FACULTY

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Unionization Among College Faculty

INTRODUCTION

Faculty continued to unionize in 1985, however, the long anticipated growth arising from the 1983 collective bargaining enabling legislation in Ohio and Illinois failed to materialize. For the third consecutive year, the number of unionized colleges increased with a reported 446 recognized bargaining agents and 411 collective bargaining agreements noted. This marks an estimated growth of four percent in both the number of agents, from 429 in 1984 to 446 in 1985 and the number of contracts from 395 in 1984 to 411 in 1985. The number of organized faculty is also at a reported all time high with 195,570 full and part time faculty members represented by certified bargaining agents, an increase of 2% from last year.

Virtually all of the growth occurred in public institutions. The number of recognized agents at public institutions increased from 355 to 369 while the number at private institutions went from 74 to 77. Although the number of unionized campuses continued to grow, most of the new bargaining units involved small groups of faculty at public colleges. Of the 13 newly elected units, only one can be considered large (800). Eight units contained 90 or fewer faculty, six less than 56.

Faculty at private institutions continue to be only peripherally involved in the growth of collective bargaining in higher education. New units were reported at the Berklee College of Music and at Vassar College. Of the three new private sector bargaining units, only one, at Berklee, involves traditional teaching faculty. The others are composed of adjunct faculty at Berklee and nurses and health care professionals at Vassar. There were two private sector decertifications as well as three "No-Agent" votes. Faculty unions have been unable to overcome the legal barriers raised by the United States Supreme Court in NLRB v. Yeshiva University, 444 U.S. 672 (1980) and thus have chosen to spend virtually all of their energies and treasuries in public sector organizing.

OHIO AND ILLINOIS

The growth in the unionization of college faculty in Ohio and Illinois appears to be proceeding at a slower rate than originally anticipated. While the effective date of the collective bargaining enabling legislation in both states was early 1984, no elections at any large institutions in these two states have yet been held.

In Ohio, three bargaining agents were certified by consent decree. This occurred at Southern State College (NEA), Terra Technical College (NEA), and Central State University (AAUP). In the one contested Ohio election, faculty at Jefferson Technical College chose the NEA affiliate over "No-Agent".

In Illinois, the major organizing activities concerned the unit determination hearings for the Illinois Board of Regents System and the question of system-wide campus bargaining. These hearings and appeals are still taking place and no final unit determination adjudication has been issued. While union organizing activity was reported throughout the state, the only faculty election took place at Rend Lake College where the AFT affiliate defeated the NEA affiliate in a run-off election for the representation rights for a bargaining unit of 54.

Observers predict an election(s) in the Board of Regents System sometime in 1986, the outcome of which should play a significant role in the unionization movement throughout higher education in Illinois.

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AGENTS ELECTED

Twenty-one bargaining agent elections were held in 1985; 17 of which resulted in faculty choosing to participate in the collective bargaining process. This includes bargaining agent representation elections, agent challenges and decertification elections. Bargaining agents were certified in 13 new units. Of these, seven units consisted of full-time teaching faculty, five were composed of adjunct faculty while one consisted of nurses and other health care professionals. Fourteen of the elections took place in two-year colleges, while seven occurred in four-year institutions. Sixteen elections were at public colleges, five at private institutions. An analysis of unionization activity by each of the three national faculty organizations and independent unions is set forth below:

AFT

The American Federation of Teachers and their affiliate locals were involved in 13 elections winning eight of them. In 10 of these campaigns they competed against "No-Agent", winning six and losing four. In two of the other three, they defeated NEA locals. One of their affiliates (Cottey College) voluntarily decertified.

Challenges to existing AFT affiliate bargaining rights occurred at two institutions. At the University of Montana, the AFT local narrowly defeated a "No-Agent" challenge by a vote of 209-198. In the other, the NEA alliliate won bargaining agent rights at Adirondack Community College defeating the AFT by a vote of 58-0. A unanimous vote in this category is highly unusual reflecting either a change in the leadership of the local or factors external to the bargaining process. The AFT affiliate successfully challenged the NEA affiliate for bargaining rights at Kirtland Community College by a vote of 18-5.

New AFT locals include full-time teaching faculty at Berklee College of Music, Kirtland Community College and Rend Lake College. New adjunct faculty units are those at Berklee College of Music, Southeastern Massachusetts University, Dutchess Community College and Onandaga Community College.

The AFT and their affiliates represent faculty at 133 colleges and universities. This includes 107 public and 26 private institutions. Of these 43 are at four year colleges and 90 are at two year colleges.

NEA

The National Education Association and their affiliate locals were involved in eight elections; winning five while losing three. Two of the five new units were the result of consent decrees in the state of Ohio at Southern State College and Terra Technical College. Other NEA wins occurred at Jefferson Technical College where the local affiliate defeated "No-Agent" 35-11, Pensacola Junior College where "No-Agent" was defeated 154-85 and Adirondack Community College where they successfully decertified the incumbent AFT affiliate 58-0.

NEA affiliate losses included two locals, one at Kirtland Community College where the AFT decertified their local 18-5 and Central Oregon Community College where an independent organization defeated the NEA affiliate 32-30. The third NEA loss occurred at Rend Lake College where the AFT won bargaining rights 32-22.

The NEA and their affiliates represent faculty at 209 colleges and universities. This includes 190 public and 19 private institutions. Of these 31 are at four year colleges and 178 are at two year colleges.

AAUP

The American Association of University Professors gained one collective bargaining affiliate in 1985. At Central State University, in Ohio, by consent decree, the local affiliate obtained bargaining agent rights for a unit of 90 faculty.

The AAUP and their affiliates represent faculty at 44 colleges and universities. This includes faculty at 26 public and 18 private institutions. Of these, 40 are at four year colleges and 4 are at two year colleges.

IND.

Independent faculty unions and industrial unions were involved in four bargaining agent campaigns during 1985. The adjunct faculty at the Connecticut Community Colleges System, a unit of 800, elected an independent union over "No-Agent", by a vote of 396-95. This was the largest local unionized and accounts for approximately 40% of all new faculty organized in 1985. The faculty at Central Oregon Community College also elected an independent union defeating the NEA affiliate. At Vassar College, a unit of 23 nurses and other health care professionals chose the Communication Workers of America (CWA) 18-1 over "No-Agent". At Maine Maritime Academy "No-Agent" defeated both the AFT and an independent union 27-12-5 for a unit of 45 faculty. At Lewis University, an independent faculty bargaining agent was ordered decertified as a result of Yeshiva.

"NO-AGENT" ELECTIONS

Four "No-Agent" elections were reported in 1985 including one where the faculty had previously enjoyed collective bargaining rights before voluntarily decertifying themselves. At Cottey College the AFT local had been the bargaining agent since 1976 before losing agent certification for a unit of 30 faculty by a vote of 17-10. Other "No-Agent" elections occurred at the Community College of Vermont where a unit of 47 professionals and clericals elected "No-Agent" over the AFT affiliate by a vote of 32-3. At Paul Smith College in New York, "No-Agent" defeated the AFT local 30-26,

while at Maine Maritime Academy "No-Agent" prevailed over both the AFT local and an independent local 27-17.

In the four elections in which faculty chose "No-Agent", the AFT and their affiliates were the bargaining agents on the ballot. All four "No-Agent" victories involved small bargaining units with an average size of 43. Two of the institutions were two-year private colleges while the public colleges involved included one two-year and one four-year.

DECERTIFICATIONS

Two faculty units were decertified in 1985. The faculty at Cottey College voluntarily voted to decertify the AFT by a vote of 17-10, while the faculty at Lewis University were decertified based on a Yeshiva claim filed by the administration. The 95 faculty at Lewis had been represented by an independent agent since 1976, however no contract had ever been negotiated. (For a complete analysis of the Lewis decision, see NCSCBHEP Newsletter Volume 13, No. 5).

Four additional decertifications were attempted by competing labor organizations and "No-Agent" groups. Three of these resulted in a change of agent, while in the fourth the AFT affiliate defeated a "No-Agent" challenge at the University of Montana. The successful challenges occurred at Adirondack Community College which went from an AFT local to an NEA local, Central Oregon Community College where the faculty switched from an NEA local to an independent and Kirtland Community College where the faculty bargaining agent certificate went from the NEA affiliate to an AFT affiliate.

STRIKES

Six faculty work stoppages were reported during 1985. All were classified as fall semester back-to-school strikes. Three of the stoppages took place at private four-year colleges in the New York City area while the others occured at public colleges in the Midwest. The three private sector strikes included a six-day stoppage at Hofstra University by the AAUP, a four-day stoppage at LIU-Brooklyn by the AFT and an 11-day stoppage at LIU-CW Post by the AFT. The public sector strikes included a two-day stoppage at Lakeland Community College by the NEA, a three-day stoppage at Oakland University by the AAUP, and a six-day stoppage at Triton College by the AFT.

The average length of the strikes was 5.3 days. The number of strikes reported in 1985, six, is consistent with the mean strike frequency of 6.9 strikes per year for the period 1966-1985. (For a complete analysis of work stoppages in higher education, the reader is referred to NCSCBHEP Newsletter, Volume 11, No. 5).

LEGISLATION

No higher education collective bargaining legislation for full-time faculty was passed during 1985. The only new collective bargaining bill enacted was in the state of Wisconsin where graduate teaching assistants (TA's) in the State University System were afforded the right to participate in the labor relations process. Wisconsin Assembly Bill No. 55 enables TA's to bargain as other public employees do, however, it does not extend bargaining rights to faculty, academic or support staff. Teaching assistants at the University of Wisconsin, Madison, a unit of approximately 1,600, had previously been organized by the AFT and had taken part in collective bargaining from 1969-1979. The University had extended voluntary recognition and then terminated their agreement. The union challenged that action in state court however failed to rescind the action.

Collective bargaining legislation for faculty in public colleges and universities was introduced and defeated in several states including Wisconsin, Washington, and Maryland. The number of states with enabling legislation for full-time faculty now stands at twenty-six. Four states allow collective bargaining subject to the regulatory framework established by university governing boards. (For a complete listing of collective bargaining legislation see Directory Table No. Eleven).

DEMOGRAPHIC ANALYSIS

A precise accounting of unionized faculty is a difficult task, however using our data on bargaining agents and unit size, and information from the 1984 NCES reports we estimate the number of unionized faculty to be 27.9% of total faculty, an increase of 0.06% over 1985. The number of faculty represented by certified bargaining agents increased by approximately 4,000 during 1985 from 191,616 in 1984 to 195,570 in 1985. At public sector colleges 36.8% of the faculty is represented, an increase of 0.08 from 1984, while at private colleges the number drops to 4.7% down 0.01% from the previous year. At two year colleges 38.1% of all faculty are unionized, an increase of 2.1% from 1984. While at private colleges the number remained virtually identical to that of 1984, 23.8% of all faculty. All of the growth occurred in the public sector, changing from 181,163 to 186,326, an increase of 5,163 faculty. Private sector representation dropped from 9,453 in 1984 to 9,244 in 1985. This is probably the result of reporting discrepancies and represents such a small shift as to be insignificant. No distinction is made in this category for full-time or adjunct faculty representation, however, it should be noted that of the new bargaining agents elected this year, five contain adjunct faculty only.

Although the Directory contains data pertaining to Canadian universities, these statistics reflect only American colleges and universities.

(Continued on p. 7)

SUMMARY OF ELECTIONS - 1985

A. AGENTS ELECTED

Institution	State	Unit Size	Vote	Agent Elected	2/4 Year College
Berklee College of Music	MA	151 ft	AFT-109 No Agent-31	AFT	4
Berklee College of Music	MA	54 pt	AFT-30 No Agent-14	AFT	4
Central State University	OH	90	Consent Decree	AAUP	4
Connecticut Community Colleges	CT	800 pt	Ind-396 No Agent-95	Ind.	2
Dutchess Community College o Adjunct Faculty	NY	250 pt	No Agent-95 AFT/NYSUT-158 No Agent-17	AFT/NYSUT	2
Jefferson Technical College	OH	46	OEA/NEA-35	NEA	2
Onandaga Community College o Adjunct Faculty	NY	230 pt	Consent Decree	AFT/NYSUT	2
Pensacola Junior College	FL	250	NEA-154 No Agent-85	NEA	2
Rend Lake College	IL	54	AFT-27 NEA-14 No Agent-10	Run-off required	2
		Run-off	AFT-32 NEA-22	AFT	2
Southeastern Massachusetts University o Adjunct & Visiting Lecturers	MA	38	AFT-22 No Agent-2	AFT	4

AGENTS ELECTED - 1985 - Continued

Institution	State	Unit Size	Vote	Agent Elected	2/4 Year College
Southern State College	OH	27	Consent Decree	NEA	2
Terra Technical College	OH	67	Consent Decree	NEA	2
Vassar College o Nurses & Health Care Professionals	NY	23	CWA-18 No Agent-1	CWA	4

B. CHANGE IN AGENT STATUS

Institution	State	Unit Size	Vote	New Agent	Former Agent	2/4 Year College
Adirondack Community College	NY	100	NEA-58 AFT-0	AFT	NEA	2
Central Oregon Community College	OR	68	Ind-32 OEA/NEA-30	NEA/Ind	Ind	2
Kirtland Community College	MI	26	AFT-18 NEA-5	NEA	AFT	2

SUMMARY OF ELECTIONS - 1985 - Continued

C. NO AGENT VOTES

Institution	State	Unit Size	Vote	Agent Defeated	2/4 Year College
Community College of Vermont o Professional and Clerical	VT	47	AFT-3 No Agent-32	AFT	2
Cottey College	MO	23	AFT-10 No Agent-17	AFT	2
Maine Maritime Academy	ME	45	AFT-12 Ind-5 No Agent-27	AFT Ind	4
Paul Smith College	NY	56	AFT-26 No Agent-30	AFT	2

D. AGENTS DECERTIFIED

Institution	State	Unit Size	Vote	Agent Decertified	2/4 Year College
Cottey College	MO	30	AFT-10 No Agent-17 Void-2	AFT	2
Lewis University	IL	97	U. S. Court of Appeals	Ind	4

E. CHALLENGE TO AGENT STATUS

Institution	State	Unit Size	Vote	Challenging Agent	2/4 Year College
University of Montana	MT	441	AFT-209 No Agent-198	No Agent	4

Source: NCSCBHEP

SUMMARY AND CONCLUSIONS

The year 1985 may be described as "Business as Usual" with faculty unions continuing to organize at a slow, but somewhat regular pace. The number of new agents and contracts increased by an estimated four percent while the percentage of unionized faculty increased by approximately 2%. This continued growth of unionization during a period when organized labor on the national scene has experienced difficult times is somewhat unique, however, several explanations are suggested. First, college faculty are not rejecting unionization and are increasingly turning to collective bargaining in an attempt to have a greater input into both their own employment relationships and higher education as a whole. Second, the three national faculty organizations are continuing to support organizing and are willing to commit money and manpower to the process. Third, the presence of enabling legislation offers the supportive framework for the organizing process. Absent legislation, faculty have not chosen collective bargaining.

The gap between private and public sector organizing continues to widen. Presently an estimated 83% of all certified bargaining agents are at public colleges. This distance is expected to grow as a result of the organizing drives in Ohio and Illinois, and with the possibilty of new legislation in one or two other states. Furthermore, Yeshiva remains well entrenched as a "chilling effect" on private sector organizing thereby further inhibiting growth in that sector.

Academic collective bargaining seems well established on the nations' colleges and university campuses. With the exception of isolated small units, no college faculty has voted to decertify themselves from the collective bargaining process. Every indication is that the numbers will increase as more faculty will elect to unionize in the years ahead.

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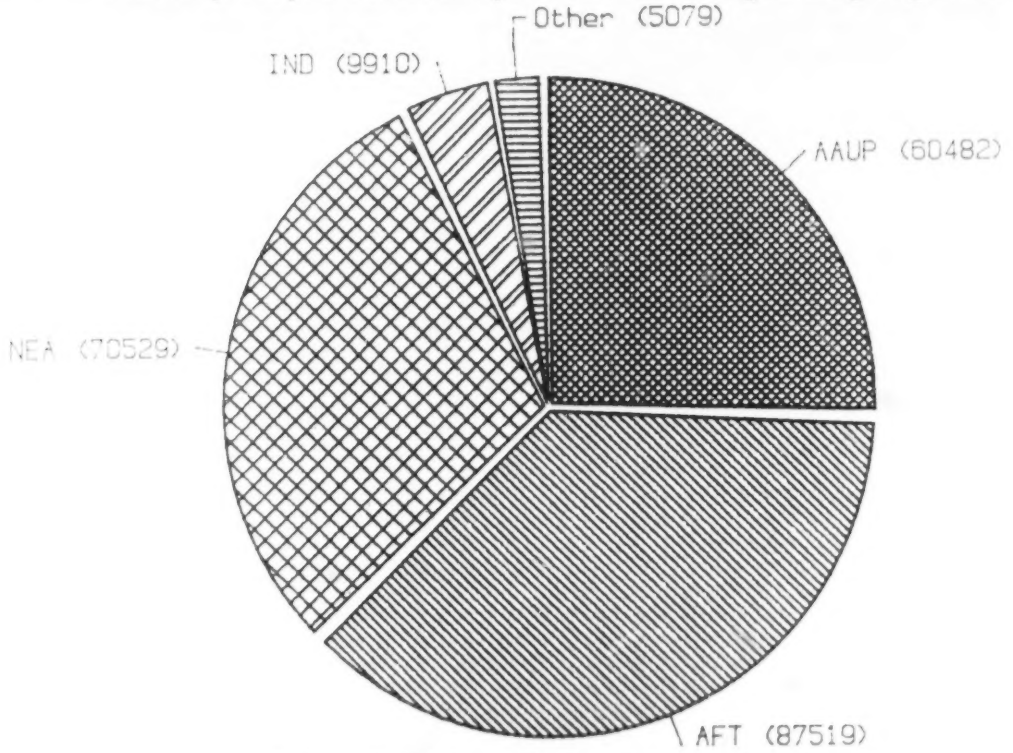
Faculty Represented by Certified Bargaining Agents



Dual agent affiliation membership status credited to both organizations.

Source: NCSCBHEP

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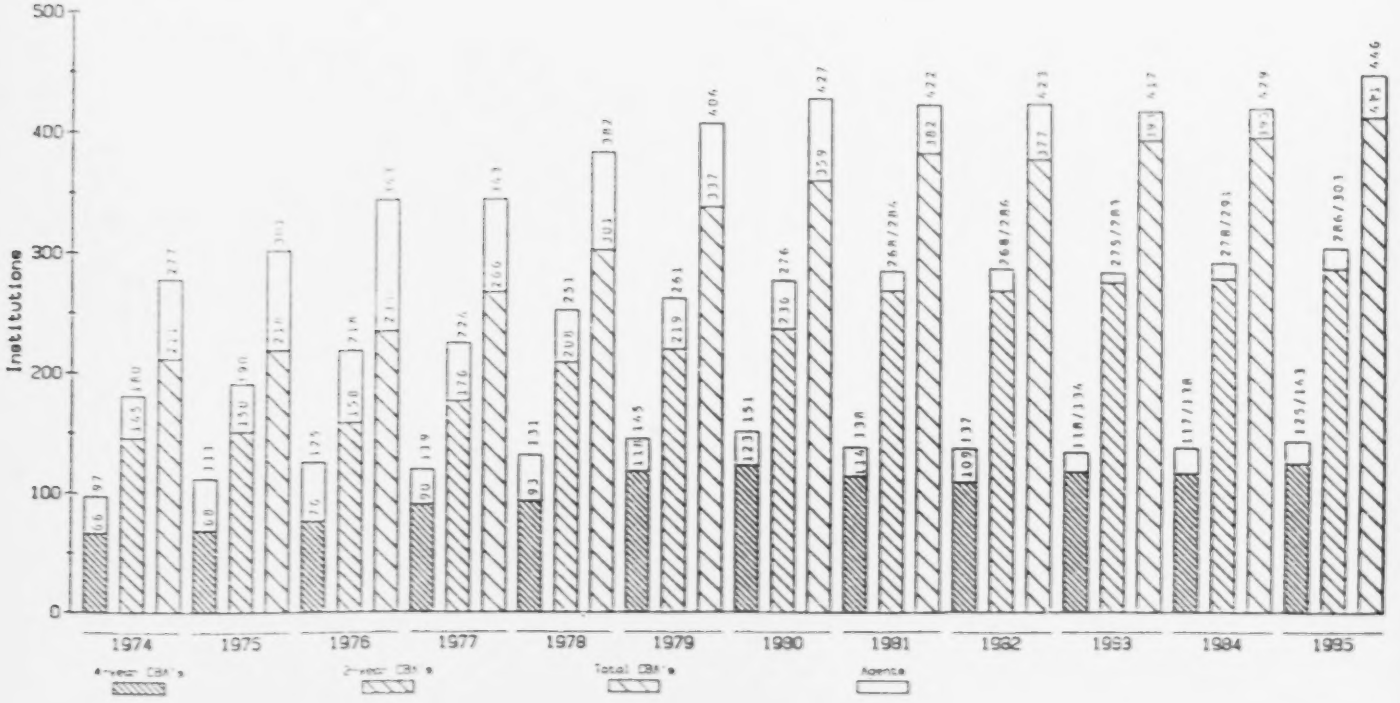
Faculty Bargaining Agents and Collective Bargaining Agreements in Two and Four-year Institutions, 1974 — 1985



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